

DEFENDANTS' EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

THE SOCIETY OF LLOYD’S,)
)
 Plaintiff,)
)
 vs.) Case No.: 4:03CV1113 HEA
)
 ROBERT W. FUERST, HORD HARDIN,)
 HAROLD F. ILG, WALTER A. KLEIN,)
 MEADE M. McCAIN, JOHN J.)
 SHILLINGTON, CYNTHIA J.)
 TODOROVICH and MICHAEL B.)
 TODOROVICH,)
)
 Defendants.)

**DEFENDANTS’ ROBERT W. FUERST, WALTER A. KLEIN, MEADE
M. McCAIN, CYNTHIA J. TODOROVICH AND MICHAEL B. TODOROVICH’S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FROM PLAINTIFF**

I. INTRODUCTION

Pursuant to Rule 26 and 34 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Eastern District of Missouri, Defendants Robert W. Fuerst, Walter A. Klein, Meade M. McCain, Cynthia J. Todorovich and Michael B. Todorovich propound their First Request for Production of Documents from Plaintiff The Society of Lloyd’s (“Lloyd’s”). The Federal Rules of Civil Procedure 26 and 34(b) require that you serve a written response to this Request for Production no later than 30 days after service of this Request upon you.

II. DEFINITIONS

1. The terms “document” and “documents” as used herein mean any and all tangible things and documents, and all copies, including all copies that are different in any way from the original (whether by interlineation, receipt stamp, notation, indication of copy sent or received or

otherwise), regardless of location or by whom prepared, and whether preserved on paper, electronically, on computer or by any other means, including, but not limited to: writings, drawings, graphs, charts, photographs, phonorecords, drafts, external communications, interoffice communications, letters, faxes, telexes, e-mails, cables, telegrams, wires, memoranda, reports, summaries, studies, other data compilations from which information can be obtained, minutes, notes, agendas, transcripts, tape recordings and other reproductions of sound or voices, films, videotapes, computer-generated documents, recordings, contracts, agreements, published material of any kind, books, records, invoices, checks, receipts, calendars, notebooks, appointment books, diaries, schedules and handwritten or other notes.

2. The term “communication” includes every manner of transmitting or receiving information in the form of facts, opinions, thoughts, inquiries, responses or otherwise, whether orally, in writing, by telephone, by fax, by e-mail, by documents, electronically or otherwise. It also includes the transmittal or receipt of any “carbon copy” or “cc” or “blind carbon copy” or “bcc” of any document.

3. The terms “relating to,” “concern,” “concerning,” or “in connection with” mean directly or indirectly relating to, referring to, describing, evidencing or constituting.

4. The term “Complaint” means the Complaint that was filed and served in the above-captioned action.

5. The term “Defendant” means any one or all of the following defendants, Robert W. Fuerst, Walter A. Klein, Meade M. McCain, Cynthia J. Todorovich and Michael B. Todorovich, in this action, depending on the context.

6. The terms “Lloyd’s” or “you” means The Society of Lloyd’s and all of its predecessors, successors, assigns and affiliates, parents and subsidiaries, and its officers, directors, partners, managers, employees, agents, attorneys, and other persons acting or purporting to act on behalf of any of the foregoing, now or in the past, and wherever located.

7. As used herein, “Names” mean individuals and others who underwrite insurance policies through Lloyd’s or who invest in Lloyd’s and participate in Lloyd’s insurance underwriting syndicates.

8. The term “Pay Now Sue Later Clause” refers to clause 5.5 of the Equitas Reinsurance and Runoff Contract.

9. The term “Conclusive Evidence Clause” refers to clause 5.10 of the Equitas Reinsurance and Runoff.

10. As used herein, “and” or “or” shall be construed conjunctively or disjunctively as necessary to make any discovery request inclusive rather than exclusive.

11. As used herein, all plural terms shall include the singular and all singular terms shall include the plural.

III. INSTRUCTIONS

1. These Requests for Production include requests for all documents, including those in the possession, custody or control of plaintiff’s agents, employees and attorneys as well as such documents in defendant’s immediate possession or control.

2. In accordance with Rule 26(e) of the Federal Rules of Civil Procedure, these document requests shall be deemed to be continuing and any document requested herein that is presently unavailable but which becomes available must be produced forthwith.

3. If any document responsive to this request was, but is no longer within your care, custody or control, state whether it (i) is missing or lost, (ii) has been destroyed, (iii) has been transferred voluntarily or involuntarily to others, or (iv) has been otherwise disposed of, and for each of the foregoing instances explain the circumstances surrounding the disposition thereof and state the date or approximate date thereof.

4. If you cannot respond to any of the following requests in full, respond to the extent possible, specifying the reasons why you are unable to respond in full, and provide whatever information you have concerning the unprovided documents, or portions thereof, including, but not limited to, the source or sources from which the documents, or portions thereof, may be obtained.

5. The documents produced herein are to be produced as they are kept in the usual course of business or organized and labeled to correspond to the numbered paragraphs and/or categories of particular requests. If there are no documents responsive to a particular numbered paragraph and/or category, so state in writing.

6. All documents produced in response to this request shall be provided in their entirety, notwithstanding the fact that portions thereof may contain information not requested. All interim as well as final versions of the document shall be produced, and all versions or copies that are not identical to the original or other produced copy of the document, whether due to handwritten notations, revisions or otherwise, shall be produced.

7. Where any request for information or document is not answered because of an objection or any claim of privilege (including, but not limited to, work product, attorney-client, and deliberative process privilege), identify the request or portion thereof and the nature of the objection asserted, and provide the following information:

- a) the type of document;
- b) subject matter of the document;
- c) date of the document;
- d) such other information as is sufficient to identify the document, including the author(s) of the document, and all addressees and recipients;
- e) the current location and custodian of the document; and
- f) each and every basis upon which privilege is claimed or upon which the document is otherwise withheld.

IV. DOCUMENTS TO BE PRODUCED

1. All documents identified in your answers to Defendants' First Set of Interrogatories To Plaintiff.

2. All documents concerning, reflecting, or relating to the calculation of the reinsurance premium or "Equitas Premium," referenced in your Complaint, levied against each Defendant.

3. All documents concerning, reflecting or relating to the offer of settlement, referenced in your Complaint, made by you to any Defendant.

4. All documents concerning, reflecting, or relating to how much you contend each Defendant owed in connection with the reconstruction and renewal plan referenced in your Complaint.

5. All documents reflecting representations made by you to state or federal courts in the United States or state or federal agencies or authorities in the United States concerning or relating to the remedies or due process that the Names would receive in connection with litigation in England.

6. All documents concerning, reflecting or relating to the adoption of the “Pay Now Sue Later” clause.

7. All documents concerning, reflecting or relating to the adoption of the “Conclusive Evidence” clause.

8. All documents prepared by any parliamentary committee of inquiry created and charged with considering the protection of Names under regulatory arrangements at Lloyd’s.

9. All documents concerning, reflecting or relating to all oral or written communications between you and each Defendant.

10. All documents concerning, reflecting or relating to all oral or written communications between Members’ Agents and any Defendant.

11. All documents concerning, reflecting or relating to the lawsuits brought by you against each Defendant for collection of the Equitas Premium.

12. All documents given to any Defendant during the period of such Defendant’s recruitment into Lloyd’s.

13. Documents prepared or received by members of the Asbestos Working Party.

14. Minutes of the Asbestos Working Party Meetings.

15. All documents provided to or relied upon by an expert witness whom you intend to have testify in this matter.

16. All documents relating to any loss reviews identified by you in response to the

